

**CHAPTER NO. 844**

**HOUSE BILL NO. 2196**

**By Representative McDonald**

**Substituted for: Senate Bill No. 2213**

**By Senator Graves**

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, Part 2, relative to trailer equipment and safety.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 9, Part 2, is amended by adding the following language as a new, appropriately designated section: Section 55-9-217.

(a) After December 31, 2004, any new trailer manufactured in this state and intended for sale to the general public within this state with a gross vehicle weight rating (GVWR) of three thousand pounds (3,000 lbs.) or less shall be equipped with new tires appropriate for the weight rating of the vehicle.

(b)(1) After December 31, 2004, no new trailer with a gross vehicle weight rating (GVWR) of three thousand pounds (3,000 lbs.) or less shall be sold to the general public in this state unless equipped with new tires appropriate for the weight rating of the vehicle.

(b)(2) Notwithstanding the provisions of subdivision (b)(1), a buyer of a new trailer with a gross vehicle weight rating (GVWR) of three thousand pounds (3,000 lbs.) or less may waive the requirements of subdivision (b)(1) and accept such trailer with used tires from a willing seller. To effectuate such a waiver, a buyer shall sign a written waiver acknowledging that such trailer is not equipped with new tires and the buyer's willingness to accept such trailer without new tires, and relieving the seller from any liability for any malfunction of the tires with which such trailer is equipped at the time of the sale.

(c) Nothing in this section shall prohibit the sale of a trailer with a gross weight rating (GVWR) of three thousand pounds (3,000 lbs.) or less which is not equipped with any tires

SECTION 2. A violation of this act shall be deemed an offense under the Consumer Protection Act, compiled in title 47, chapter 18. A civil penalty of not more than one hundred fifty dollars (\$150) may be imposed for a violation of this act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 20, 2004

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 7<sup>th</sup> day of June 2004

  
PHIL BREDESEN, GOVERNOR